

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
APRIL 20, 1977

The regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, April 20, 1977 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, HUGHES,  
KATZAKIAN, PINKERTON  
and KATNICH (Mayor)

Absent: Councilmen - None

Also Present: City Manager Graves, Assistant  
City Manager Glenn, Public Works Director Ronsko,  
Community Development Director and Deputy City  
Clerk Schroeder.

INVOCATION

The invocation was given by Reverend Paul Donovan,  
Pastor, First Congregational Church.

PLEDGE

Mayor Katnich led the Pledge of Allegiance to the flag.

PLANNING COMMISSION

ITEMS OF INTEREST The City Manager gave the following report of the  
Planning Commission's meeting of April 11, 1977.

1. Approved the request of Mr. Ted Wagner for a  
Variance to reconstruct a nonconforming grocery  
store (i.e., T and E Market) destroyed by fire at  
723 North Loma Drive in an area zoned R-2, Single  
Family Residential with the conditions that the final  
site plan, building elevations, off-street parking and  
related matters be to the approval of the Site Plan  
and Architectural Review Committee.

In approving this request the Planning Commission  
made the following findings:

- a. that the establishment, maintenance or conduct-  
ing of the building and use will not, under the  
circumstances of the particular case, be detri-  
mental to the health, morals, comfort or wel-  
fare of persons residing or working in the neigh-  
borhood of the proposed use or to property or  
improvements in the neighborhood, or will not be  
contrary to the general welfare; and
- b. that the use and building will have a distinct  
benefit to the district in which the proposed  
structure will be located.

Minutes of April 20, 1977, continued

## COMMUNICATIONS

SJC HISTORICAL  
SOCIETY - RE:  
OLD CITY RECORDS

Mayor Katnich read a letter from Mrs. Vivian Hughes, President and Chairman of the Board of Directors of the San Joaquin County Historical Society, Inc., suggesting that if the City did not have definite written policy concerning the offering of out-dated records to a museum, a library or historical organization, that such a policy should be considered to assure the preservation of historical materials.

The Mayor referred this matter to the staff for review and recommendation.

## REPORTS OF THE CITY MANAGER

CONSENT  
CALENDAR

In accordance with the report and recommendation of the City Manager the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Katzakian second, were approved by Council.

\*\*\*\*\*

CLAIMS

Claims were approved in the amount of \$1,731,681.77.

AWARD - TRAFFIC  
SIGNALS  
CENTURY AND  
S. HUTCHINS

Bids received for the contract for "Traffic Signals, Century Boulevard and Hutchins Street" as follows were presented to Council:

RES. NO. 4343	<u>Bidder</u>	<u>Amount</u>
	Grason Electric Company	\$41,014.00
	Steiny and Company, Inc.	\$44,670.00
	M & M Electric Company	\$45,968.00
	San Joaquin Pacific Corp.	\$49,000.00
	Smith Electric Supply	\$49,874.00
	Rosendin Electric Incorporate	\$51,609.00
	Ferrero Electric Company, Inc.	\$57,530.00
	Collins Electrical Company, Inc.	\$66,666.00

City Manager Graves recommended that the award be made to the low bidder, Grason Electric Company.

## RESOLUTION NO. 4343

RESOLUTION AWARDING THE CONTRACT FOR "TRAFFIC SIGNALS, CENTURY BOULEVARD AND HUTCHINS STREET" TO GRASON ELECTRIC COMPANY, THE LOW BIDDER IN THE AMOUNT OF \$41,014.00.

EASEMENT  
ABANDONMENT  
HOMESTEAD  
MANOR, UNIT #1

The City Manager recommended that the City Council adopt an order to abandon a portion of the easement located in Homestead Manor Subdivision, Unit No. 1. The various utility companies and the City Utility Department all indicated that they are not using the easement nor do they have any plans to use it.

ORDER TO  
VACATE ADOPTED

Council adopted an Order Vacating an Easement Located in Homestead Manor, Unit No. 1.

Minutes of April 20, 1977, continued

JOB SPECS  
CHIEF SEWER  
PLANT  
OPERATOR

Council was apprised that with the completion of the expansion of the White Slough Water Pollution Control Plant, there will result the reclassification of the Plant as well as a change in the level of certification for the Plant Operator and the Chief Plant Operator.

The Council was presented revised job specifications for Chief Sewage Plant Operator which conform to the State Water Resources Control Board certification requirements following the plant expansion.

Council approved the revised job specifications for Chief Sewage Plant Operator as described.

\*\*\*\*\*

AMEND AGREEMENT  
S.J. COUNTY  
RECREATION  
SUBSIDY PROGRAM-  
RESCIND RES. NO.  
4318

The City Manager recommended that the City Council amend the Agreement with the County of San Joaquin for the Recreation Subsidy Program. He explained that the agreement covered \$18,700 that the County gave to the City for its recreation program and that the Agreement was being amended to make it automatically renewable, subject to the appropriation being approved in the County's budget.

RES. NO. 4344

After discussion of the contract and the County's liability, on motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4344 approving the Amended Agreement with the County of San Joaquin for the Recreation Subsidy Program and rescinding Resolution No. 4318.

AGREEMENT - LODI  
LIONS BASEBALL  
CLUB - 1977  
SEASON

Councilman Katzakian stated that he would abstain from discussion or voting on the next matter because he was a member of the Baseball Club's Board of Directors.

The City Manager presented the Agreement between the City and the Lodi Lions Baseball Club, Inc. which he said was identical to the agreement for 1976.

After discussion, on motion of Councilman Ehrhardt, Katnich second, the City Council approved the 1977 Agreement between the City and the Lodi Lions Baseball Club, Inc. for 1977 as presented.

LOBAUGH APPEAL  
RE: 340-350 SO.  
LOWER SACRA-  
MENTO RD.  
OFFSITE IMPROVE-  
MENTS

At its meeting of Wednesday, April 6, 1977 the City Council had continued consideration of the appeal of Mr. K. L. Lobaugh concerning the installation of off-site public improvements at 340-350 South Lower Sacramento Road pending a report from the staff.

The Deputy City Clerk presented a letter from Mr. K. L. Lobaugh asking that the matter be continued until the Council meeting of May 4, 1977.

On motion of Councilman Ehrhardt, Hughes second Council continued the above-referenced appeal of Mr. K. L. Lobaugh and directed the Deputy City Clerk to so inform Mrs. Imelda Burke, the present owner of the property.

Minutes of April 20, 1977, continued

THORPE APPEAL RE The City Manager presented a proposed agreement  
BECKMAN ROAD between the City and Mr. Richard J. and Mrs.  
OFFSITE IMPROVE- Helen M. Thorpe covering the future installation of  
MENTS off-site public improvements at 351 North Beckman  
Road. This matter had previously been before the  
Council on February 16 and March 16, 1977 and had  
been continued because the owners had been unable  
to secure a Bond in the amount of \$8200 to guarantee  
the faithful performance of the proposed agreement.

Mr. R. J. (Jim) Thorpe, 351 North Beckman Road,  
was present and stated that he was still unable to  
secure a Bond unless he deposited full cash  
collateral with the Bond Company.

After lengthy discussion, on motion of Councilman  
Ehrhardt, Katzakian second, Council continued the  
above appeal of Mr. R. J. (Jim) Thorpe until  
May 4, 1977 pending a meeting between Mr. Thorpe  
and the City Attorney to determine what other types  
of guarantee might be posted with the City.

PROPOSED WATER The City Manager presented the proposed Urgency  
WASTE ORDINANCE Ordinance establishing water conservation measures  
in the City.

The Mayor pointed out that this matter had been  
discussed at a Informal Informational Meeting on  
Tuesday, April 19, 1977.

Councilman Hughes felt that the Ordinance, as  
written, dealt heavily with residential water waste  
while looking away from industrial waste. He  
suggested that Section 1. "Declaration of Urgency"  
be amended to declare a goal of reducing water  
usage by 30% throughout the City, not just in resi-  
dential usage. After discussion this suggestion was  
accepted by Council.

Councilman Hughes also suggested that Subsection 4  
of Section 4. "Water Rates When Water is Wasted"  
be rewritten to read:

"4. A fourth similar wasting of water by said  
person shall result in an additional charge  
for said use of \$100, and the City may also  
require the person to pay the cost of a  
meter and the installation thereof as a  
prerequisite to service."

This amendment was also accepted by Council.

A general discussion concerning the hiring of an  
enforcement officer; equipment for said officer and  
other potential amendments followed. Councilman  
Pinkerton indicated that the Council knew that future  
amendments to the Ordinance would probably be  
needed, but it was essential to get the Ordinance  
adopted and the water conservation program underway.

Minutes of April 20, 1977, continued

PROPOSED WATER  
WASTE ORDINANCE  
(Continued)

ORD. NO. 1105  
URGENCY  
MEASURE  
INTRODUCED AND  
ADOPTED

Ordinance No. 1105 entitled "An Ordinance of the City of Lodi Establishing Water Conservation Measures and Declaring the Same to be an Urgency Ordinance" was introduced for adoption by Councilman Katzakian. Councilman Ehrhardt seconded the motion. Ordinance No. 1105 was then adopted as an "urgency measure" by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes,  
Katzakian, Pinkerton and  
Katnich (Mayor)

Noes: Councilmen - None

Absent: Councilmen - None

RECESS

Mayor Katnich declared a recess at 9:50 p.m. The meeting reconvened at 9:55 p.m.

HOMESTEAD  
MANOR, UNIT  
NO. 1-FINAL MAP  
AND AGREEMENT

The Public Works Director presented the Final Subdivision Map of Homestead Manor, Unit No. 1, a 12.9 acre, 52 single-family lot tract lying along the west side of the Hutchins Estate property at the southwest corner of South Ham Lane and West Lodi Avenue in an area zoned R-1, Single-Family Residential.

He stated that the developer, Hawaii and San Francisco Development Company, had completed all of the requirements specified for the subdivision by the Planning Commission at its meeting of August 9, 1976.

On motion of Councilman Hughes, Councilman Ehrhardt second, Council approved the Final Map, the improvement plans and improvement security for Homestead Manor, Unit No. 1 and directed the City Manager to sign the Subdivision Agreement; the Water Main Extension Reimbursement Agreement; the Sanitary Sewer Extension Reimbursement Agreement and the Electrical Utility Agreement on behalf of the City, subject to receipt of proper insurance.

KATZAKIAN  
ABSTAINS

Councilman Katzakian stated that he would abstain from the discussion and voting on the next three items because the Real Estate Company of which he was an officer had involvements in each matter. He then left the Council table and took a seat in the audience.

REQUEST FOR  
MEDIAN CUT IN  
AREA OF SANBORN  
CHEVROLET

At the Council meeting of April 6, 1977 Mayor Katnich deferred action on the request of Mr. Richard E. Sanborn for an opening in the median on Cherokee Lane to allow better access to Sanborn Chevrolet and to better allow development of the parcel immediately north of Sanborn Chevrolet, to allow time for the presentation of a more definite plan.

REQUEST FOR  
MEDIAN CUT IN  
AREA OF SANBORN  
CHEVROLET  
(Continued)

Minutes of April 20, 1977, continued

The Public Works Director presented the revised plan and again recommended denial of the request.

Mr. Richard E. Sanborn, 1210 South Cherokee Lane, Lodi was present and stated that the median opening would serve his present business which had poor access for people traveling from the north; a long cul-de-sac which gave access to three parcels abutting State Route 99 and other proposed commercial lots north of his existing automobile agency. He stated that the proposed opening would be 610 feet north of Highway 12 (East Kettleman Lane) and indicated that businesses south of Highway 12 already had median openings. He felt he was asking for something reasonable and indicated that he would pay the cost of the opening as well as assisting Lodi Academy across Cherokee Lane with the cost of installing street lights.

After further discussion, on motion of Councilman Pinkerton, Ehrhardt second, Council approved the Sanborn Cherokee Lane Median opening request in concept with the condition that Mr. Sanborn present the Council with a firm proposal in writing of what costs he will assume in exchange for the opening.

STURLA PARK -  
FINAL MAP AND  
AGREEMENT

The Public Works Director presented the Final Subdivision Map of Sturla Park, a 4.5 acre, 20 lot tract for professional offices lying along West Tokay Street between South Fairmont Avenue and South Ham Lane. He stated the developer, Aladdin Real Estate, Inc. had completed all the requirements specified for the subdivision by the Planning Commission at its meeting of January 10, 1977.

Upon motion of Councilman Hughes, Councilman Ehrhardt second, Council approved the Final Map, the improvement plans and improvement security for Sturla Park and directed the City Manager to sign the Subdivision Agreement and Electrical Utility Agreement on behalf of the City.

A.B.T. INDUSTRIAL  
PARK-FINAL MAP  
AND AGREEMENT

The Public Works Director presented the Final Subdivision Map of A.B.T. Industrial Park, a 5.4 acre, 5 lot tract for industrial uses lying on the west side of South Stockton Street at the west end of Maxwell Street. He stated that the developer, Mr. Ronald B. Thomas, had completed all the requirements specified for the subdivision by the Planning Commission at its meeting of March 8, 1976.

Upon motion of Councilman Hughes, Ehrhardt second, Council approved the Final Map, the improvement plans and improvement security for A.B.T. Industrial Park and directed the City Manager to sign the Subdivision Agreement and Electrical Utility Agreement on behalf of the City.

Minutes of April 20, 1977, continued

KATZAKIAN  
RETURNS

Councilman Katzakian left the audience and returned to his seat at the Council table.

ENGLISH OAKS  
MANOR, UNIT NO. 4  
FINAL MAP AND  
AGREEMENT

The Public Works Director presented the Final Subdivision Map of English Oaks Manor, Unit No. 4, a 2.6 acre, 11 lot single-family tract lying on the west side of Scarborough Drive, south of West Century Boulevard. He stated that the developer, Grupe Development Company, had completed all of the requirements specified for this subdivision by the Planning Commission at its meeting of August 23, 1976.

On motion of Councilman Hughes, Ehrhardt second, Council approved the Final Map, the improvement plans, and improvement security for English Oaks Manor, Unit No. 4 and directed the City Manager to sign the Subdivision Agreement and the Electrical Utility Agreement on behalf of the City.

DISTRIBUTION OF  
PROPOSITION 2  
FUNDS (NEJEDLY-  
HART STATE, URBAN  
& COASTAL BOND  
ACT OF 1976)

Councilman Katzakian reported that on March 28, 1977 he represented the City at a meeting attended by representatives of San Joaquin County and its six incorporated cities to discuss the distribution of \$1,161,880 of Proposition 2 Funds (Nejedly-Hart State, Urban and Coastal Bond Act of 1976). He stated that the Committee recommended that the funds be distributed with Ripon and Escalon each receiving \$25,000 and the remaining monies distributed to the County and the Cities of Lodi, Manteca, Tracy and Stockton on a percentage basis using the 1975 Special Census figures.

RES. NO. 4345

On motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4345 accepting the Distribution Formula for Nejedly-Hart State, Urban and Coastal Park Bond Act of 1976 Funds.

SOLID WASTE  
ENFORCEMENT  
AGENCY

The City Manager presented a letter from Mr. C. E. Dixon, County Administrator, San Joaquin County Board of Supervisors, recommending that the San Joaquin Local Health District be designated as the Solid Waste Enforcement Agency. The letter reported that Assembly Bill No. 2439 adopted in 1976 (i.e. Section 66,700 et seq. of the Government Code) requires all cities and counties to designate a local solid waste management enforcement agency by July 1, 1977. The City Manager stated that the Local Health District was willing to accept this responsibility and so recommended.

RES. NO. 4346

On motion of Councilman Katzakian, Councilman Ehrhardt second, Council adopted Resolution No. 4346 designating a Solid Waste Enforcement Agency.

Minutes of April 20, 1977, continued

CONFLICT OF  
INTEREST CODE-  
PLANNING  
COMMISSION AND  
DEPARTMENT  
HEADS

The Council received a report from the Assistant City Manager which indicated that on April 7, 1977 he conducted a Public Hearing regarding the adoption of a Conflict of Interest Code for the Planning Commission and the various Departments of the City of Lodi. Council was in receipt of the minutes of that Public Hearing as well as a copy of the proposed Conflict of Interest Code.

On motion of Councilman Katzakian, Councilman Ehrhardt second, Council received the proposed Conflict of Interest Code for the Planning Commission and Department Heads and set the matter for Public Hearing at 8:00 p.m., Wednesday, May 18, 1977 in the Lodi City Council Chambers.

MEMORANDUM OF  
UNDERSTANDING  
AIR QUALITY  
MTCE. PLAN

The City Manager presented a letter which had been received from Mr. C. E. Dixon, County Administrator, San Joaquin County, which described the Board of Supervisors proposal for Phase II Air Quality Maintenance Plan and proposed a Memorandum of Understanding amongst the Board of Supervisors, Council of Governments, San Joaquin County Air Pollution Control District and the cities of Stockton, Lodi, Manteca, Tracy, Ripon and Escalon. Mr. Dixon's letter urged early action on the part of Council.

After Councilman Pinkerton reviewed the history of Phase I and Phase II of the Air Quality Maintenance Plan, on motion of Councilman Hughes, Councilman Ehrhardt second, Council continued action of Phase II Air Quality Maintenance Plan until a representative of the San Joaquin County Board of Supervisors could present a thorough explanation of the present proposal to Council.

ADDITIONAL  
BUILDING  
INSPECTOR

The City Manager recommended that the City Council authorize the immediate hiring of an additional Building Inspector because of the unusually high building activity and the fact that the Chief Building Inspector J. Paul McClure was retiring December 31, 1977 at which time our present complement of inspectors might be adequate. He said upon Mr. McClure's retirement the staff would reexamine the problem and report to Council.

On motion of Councilman Katzakian, Ehrhardt second the Council authorized the immediate establishment of an additional Building Inspector position in the Building Division of the Community Development Department.

LEGAL  
CHALLENGE -  
UNEMPLOYMENT  
COMPENSATION  
ACT OF 1976

City Attorney Mullen presented a report from Mr. Conrad E. Mattox, President, National Institute of Municipal Law Officers which proposed that that organization collect a trust fund from its member cities and from states and counties out of which is planned an attack on the constitutionality of the Unemployment Compensation Act of 1976. Cities of under 50,000 population were being asked to provide \$2500 for the Trust Fund. The City Attorney urged the Council to participate because of the potential benefit to Lodi.

## Minutes of April 20, 1977, continued

UNEMPLOYMENT On motion of Councilman Hughes, Councilman  
 COMP. ACT(Contd) Ehrhardt second, Council authorized the expen-  
 11-21 diture of \$2500 for participation in the legal  
 challenge of the Unemployment Compensation Act of  
 1976.

MODIFICATION The City Manager presented the most recent versions  
 OF UNIFORM of the Uniform Building, Plumbing and Mechanical  
 BUILDING, Codes and a memorandum outlining Lodi's proposed  
 PLUMBING AND changes to the 1976 Building Code and the 1976 Plumb-  
 MECHANICAL ing Code. He said the Uniform Codes must be set for  
 CODES Public Hearing and after adoption the resolution must  
 be submitted to the State of California.

RES. NO. 4347 On motion of Councilman Katzakian, Councilman  
 4-34 Ehrhardt second, Council adopted Resolution No. 4348  
 outlining the proposed changes to the 1976 Uniform  
 Building Code - Structural Changes and the 1976 Uni-  
 form Plumbing Code.

On motion of Councilman Katzakian, Ehrhardt second  
 Council set the following items for Public Hearing at  
 8:00 p.m., Wednesday, May 18, 1977 in the Lodi City  
 Council Chambers:

(1) An Ordinance proposing the adoption of the  
 Uniform Building Code - 1976 Edition;

(2) An Ordinance proposing the adoption of the  
 Uniform Plumbing Code - 1976 Edition; and

(3) An Ordinance proposing the adoption of the  
 Uniform Mechanical Code - 1976 Edition.

REPLACE BOILER The City Manager reported that the boiler in the  
 PUBLIC SAFETY Building was in need of replacement and  
 BUILDING that it was his recommendation that this be accom-  
 plished immediately rather than as an item in the  
 1977-78 Budget.

The Public Works Director reviewed the history of  
 the problems with this particular boiler and explained  
 the advantages of doing the work now rather than after  
 the fiscal year begins in July 1977.

On motion of Councilman Ehrhardt, Councilman  
 Katzakian second, Council authorized the City Manager  
 to have plans and specifications prepared for the re-  
 placement of the boiler in the Public Safety Building.

## ORDINANCES

REZONE 28.8 Ordinance No. 1104 entitled "An Ordinance amending  
 ACRE PARCEL the Official District Map of the City of Lodi and The rebuy  
 NW CORNER OF Conditionally Rezoning a 28.8-acre parcel at the North-  
 W. VINE & LOWER west corner of Lower Sacramento Road and the future  
 SACRAMENTO RD. extension of West Vine Street from U-H, Unclassified  
 U-H TO P-D(16) Holding District to P-D(16), Planned Development  
 District No. 16", having been introduced at a regular  
 meeting of the Lodi City Council held April 6, 1977 was  
 ORD. NO. 1104 brought up for passage on motion of Councilman Ehrhardt,  
 ADOPTED

ORD. NO. 1104  
ADOPTED  
(Continued)

Minutes of April 20, 1977, continued

Katzakian second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

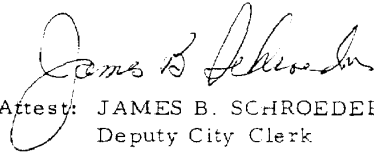
Ayes: Councilmen - EHRHARDT, HUGHES,  
KATZAKIAN, PINKERTON  
and KATNICH (Mayor)

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business to be brought before the Council, the meeting was adjourned by Mayor Katnich at approximately 11:17 p.m., on motion of Councilman Pinkerton, Katzakian second.

  
Attest: JAMES B. SCHROEDER  
Deputy City Clerk